

AB 982 Public Advisory Group

Cal-EPA Building
1001 I Street, Coastal Valley Hearing Room
Sacramento, California

Meeting Summary

March 26, 2001

Convene Meeting: Co-Chairs Craig Johns and David Beckman declared a quorum and convened the meeting at 9:50 a.m.

Summary of October 27, 2000 meeting: The summary was approved by consensus.

Review of the State Water Resources Control Board's Total Maximum Daily Load (TMDL) Structure and Effectiveness Report: The members of the PAG had an open discussion about the Report making several points:

- The purpose of this discussion is to inform the development of the final Public Advisory Group (PAG) report on the structure and effectiveness of the State Water Resources Control Board's (SWRCB's) TMDL program.
- In the SWRCB report there was no discussion about the flow of money, and what the products are, i.e., what the money is being spent on.
- The PAG's recommendations did not appear to be taken seriously.
- The report reflects a lack of willingness to be critical of the TMDL process.
- It's time to really concentrate on finishing the PAG report.
- The SWRCB report appears more favorable to the regulated community's interests than to the environmental community's interests.
- We need a vision that can take into account funding vagaries.
- The SWRCB report does make a commitment to stakeholder processes, something PAG had recommended.
- PAG's efforts seem marginalized: there was no time for PAG to review the report after it left the Governor's office and before it went to the Legislature – something PAG had been told by the SWRCB would happen.
- It would be very helpful if the SWRCB had vision/goals for the TMDL program, complete with performance objectives, against which progress could be measured.

SWRCB staff were invited to comment:

- Staff worked in parallel with PAG on the report.
- The strategy was to lay out the structure, look at available funding, try to respond to PAG's consensus items, and create a foundation for future annual reports. Each subsequent report will have increasingly more detail.
- There was no attempt to undermine PAG's efforts or consensus items.

After more discussion it was decided that PAG needs to concentrate on finalizing its report.

Finalizing the PAG TMDL report: There was discussion about how to address the belief that the SWRCB report did not adequately address PAG's consensus items. Finally it was concluded that the PAG report would not be amended – instead concerns would be addressed in a transmittal letter. Two representatives from each community (environmental and regulated) caucused and presented two concepts they felt should be in the transmittal letter:

1. There needs to be additional articulation of the “structure” part of the SWRCB's structure and effectiveness report.
2. PAG should request that the Budget Committee ask the SWRCB for a specific description of deliverables for the next fiscal year.

These points were accepted by consensus.

The final PAG report and the transmittal letter should go out by April 2.

PAG work plan: There was discussion about the role of PAG in the next several months leading up to the second SWRCB structure and effectiveness report to the Legislature in the Fall. Many items that PAG could pursue were mentioned, but finally it was decided that PAG's efforts should focus on implementation of existing recommendations and plans inherent in the SWRCB's monitoring report, its structure and effectiveness report, and PAG's report. Other points made included:

- The PAG could hear back from staff on their progress in implementing the PAG recommendations.
- A master list of priorities from the three reports could be developed that PAG could monitor.
- Have a dialogue with Regional Board staff, since many of them know of PAG but have never met PAG.

The following decisions were reached:

- Craig J. Wilson will develop a draft work plan, submit to all PAG members for comment, then refer any revisions to the Co-Chairs for finalizing.
- PAG will meet quarterly, which means there will be two more meetings before the SWRCB's reports are due to the Legislature. The meetings will be in Sacramento, and could be two day meetings depending upon the agendas. Craig will propose a date for the next meeting shortly.

Consensus legislation – SB 710: Nora Lynn from Senator Dede Alpert's office reviewed the amendments to SB 710 with PAG. Following discussion PAG recommended that:

1. In section 13191.3, the term “guidance” should be changed to “guidelines.”
2. Somewhere in the language of the bill, it should be stated that the SWRCB will act in consultation with PAG, and shall acknowledge any PAG consensus points.

Comments by Chair of the SWRCB, Art Baggett: Mr. Baggett thanked the PAG for their hard work, and encouraged them to keep working on the issues.

Additional topics:

- The SWRCB’s Monitoring Report has also been sent to the Legislature.
- Regarding the PAG’s monitoring report, some new developments have occurred and had several comments on the SWRCB report suggesting the possibility that PAG might want to rewrite or add to its response to the SWRCB’s monitoring report.
- The PAG’s monitoring subcommittee will write a draft response letter, email it to PAG members for review, and finalize it in the next two to three weeks.

Public Comment: Members of the public were asked to make any comments. None chose to do so.

Adjournment: The Co-Chairs adjourned the meeting at 3:25 p.m.